

**MEMO ENDORSED**

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January 8, 2016

**VIA ECF**

Honorable Valerie E. Caproni  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

*Re: O.W. Bunker-Related Interpleader Actions (See Schedule 1)*

Dear Judge Caproni:

We write on behalf of ING Bank N.V., as Security Agent ("ING Bank"), with the consent of O.W. Bunker Holding North America Inc., O.W. Bunker North America Inc., and O.W. Bunker USA Inc. (the "Debtors") and their respective Liquidating Trusts, in reference to the stayed O.W. Bunker-related interpleader actions (the "Stayed Actions") set forth on Schedule 1 to this letter.

ING Bank writes to request that litigation of the Stayed Actions set forth on Schedule 1 be stayed for an additional period of time to allow parties-in-interest to devote their resources to the ongoing litigation of the non-stayed actions pending before this Court and to allow the Debtors and their respective Liquidating Trusts time to implement the Debtors' First Modified Liquidation Plans ("Liquidation Plans").

In the pending bankruptcy proceedings, the Bankruptcy Court confirmed the Liquidation Plans on December 15, 2015. The Debtors recently filed a notice with the Bankruptcy Court indicating that the Liquidation Plans became effective on January 4, 2016. We understand that the Debtors and their respective Liquidating Trusts are currently implementing the terms of the Liquidation Plans.

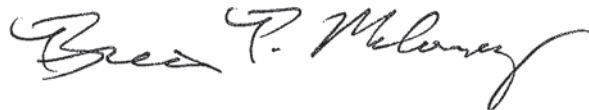
In the non-stayed O.W. Bunker related actions pending before this Court, document and deposition discovery is proceeding apace with depositions held on, or which are planned for, January 5, 7, 14, 19, 20, 26 and 27, 2016. While a more detailed report on the status of discovery in the non-stayed actions will be submitted as scheduled on January 12, 2016, the

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continued litigation of the non-stayed matters necessitates this request to extend the stay in the matters set forth on Schedule 1.

Accordingly, ING Bank respectfully requests that litigation of the Stayed Actions set forth on Schedule 1 be stayed until **February 19, 2016**, and that any request to extend the stay past that time be filed with the Court no later than February 12, 2016.

Respectfully submitted,



Brian P. Maloney

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Application GRANTED. The stay of proceedings currently in effect in the Stayed Actions set forth on Schedule 1 shall be extended to February 19, 2016. Counsel for all parties to the Stayed Actions shall appear for a joint conference to discuss the status of the Stayed Actions and set deadlines for discovery on Thursday, February 25, 2016 at 2:00 p.m.

SO ORDERED.



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

Date: 1/12/2016

Schedule 1  
O.W. Bunker-Related Interpleader Matters  
(Stayed Actions)

1. *UPT Pool Ltd. v. Dynamic Oil Trading (Singapore) Pte Ltd., et al.*  
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9262 (VEC)
2. *Clearlake Shipping Pte. Ltd. v. O.W. Bunker (Switzerland) SA, et al.*  
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9286 (VEC)
3. *MT Cape Bird Tankschiffahrts GmbH & Co. KG, v. O.W. USA Inc., et al.*  
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 9646 (VEC)
4. *Conti 149 Conti Guinea v. O.W. Bunker Panama S.A., et al.*  
U.S.D.C., S.D.N.Y., Case No. 14 Civ. 10089 (VEC)
5. *Hapag-Lloyd Aktiengesellschaft v. O.W. Bunker North America, Inc., et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 190 (VEC)
6. *APL Co. Pte Ltd v. O.W. Bunker Far East (Singapore) Pte Ltd., et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 620 (VEC)
7. *Star Tankers Inc. v. O.W. Bunker Panama S.A., et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2090 (VEC)
8. *Baere Maritime LLC v. O.W. Bunker Panama S.A., et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2734 (VEC)
9. *Sigma Tankers Inc v. O.W. Bunker Panama S.A., et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 2733 (VEC)
10. *MSC Mediterranean Shipping Company S.A. v. O.W. Bunker North America Inc., et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 3221 (VEC)
11. *O.W. Bunker USA Inc. v. COSCO PIRAEUS, I.M.O. No. 9484364*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 3471 (VEC)
12. *O.W. Bunker USA Inc. v. M/V BAKKEDAL, in rem*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 3988 (VEC)
13. *Kawasaki Kisen Kaisha, Ltd. v. OW Bunker Middle East DMCC, et al.*  
U.S.D.C., S.D.N.Y., Case No. 15 Civ. 4138 (VEC)